

# The Cape Cod Withdrawal: How Feminist Plaintiffs Lost Control of Their Own Case, Why They Walked Away, and How Wikipedia Erased the Reason

*A documented account. Companion to "What Wikipedia Did to Nikki Craft — and Why It Matters."*

## Why This Story Has Its Own Document

In the 1980s, six women who had been arrested for shirtfree protest at the Cape Cod National Seashore withdrew from their own federal lawsuit rather than let it be used as a vehicle for interests they had spent years fighting. Their reasons were put in writing at the time, signed, and published. The events are corroborated by the United States Supreme Court's own records, by a published federal district court decision, by the adversary's own newsletter, by a handwritten postcard from Andrea Dworkin, and by the footnotes of a university-press history.

Wikipedia erased nearly all of it. The current Wikipedia article on Nikki Craft records only that she withdrew from the case over "concessions" about "clothing requirements" — a sanitized residue. The pedophile alliance at the heart of the withdrawal, the five-year investigation that preceded it, the Supreme Court amicus brief that triggered it, the firing that punished it, and the smear campaign that followed it have no encyclopedic existence. This document exists so that the full record, with its citations, is publicly preserved in one place — independent of any encyclopedia's editors.

## The Arrests and What They Meant

In August 1984, Nikki Craft was arrested at Herring Cove Beach, Cape Cod National Seashore, for protesting the National Park Service's public nudity regulation by sunbathing shirtfree and refusing to cover when contacted by rangers. She returned in July 1985 and repeated the challenge at the ranger station itself. Other women were arrested in the same campaign, among them Michelle Handler and Melissa Farley. The arrests were news: the New York Times covered the Herring Cove arrest that Sunday ("Topless Bather Arrested in Cape Cod Protest," August 26, 1984), and the Cape Cod Times covered the federal magistrate hearing days later. To that magistrate, Craft stated her frame on the record at the very first hearing: "It is gender discrimination" — referring to the absence of any law prohibiting men from appearing topless at the beaches. That quote, printed August 30, 1984, is the equality argument, four years before the withdrawal. Whatever the lawyers later filed, the record of what the arrested women meant begins there.

The word matters. Craft named the work "shirtfree" from the beginning — a deliberate political choice to pull the demand out of the "topless" frame, the vocabulary of bars and male entertainment, and place it where it belonged: women's control over their own bodies. The distinction was not pedantry; it was the whole point, and the culture's appetite for co-opting the work was demonstrated concretely when a topless car wash was later installed on the Santa Cruz boardwalk's main drag, in the wake of Craft's shirtfree arrests there. Wikipedia, across two decades, insisted on "topless."

The arrested women became plaintiffs in litigation against the federal government challenging the regulation. The case produced a published decision: *Craft v. Hodel*, 683 F. Supp. 289 (D. Mass. 1988), with Craft as lead named plaintiff — a decision subsequently cited by other federal and state courts and, as late as 2023, in the Yale Law Journal.

## The Co-optation

The litigation was funded by naturist organizations — principally The Naturist Society, founded and led by Lee Baxandall, Craft's then-employer. As the case proceeded, the women who had gone to jail lost control of it.

The plaintiffs wanted the case argued as a matter of equality: that a regulation policing women's chests and not men's was sex discrimination. What was filed in their names instead leaned on the First Amendment: of the appeal, twenty-three pages were devoted to First Amendment argument and four to equal protection. The plaintiffs warned, in writing, exactly whom that framing would serve: not women as a class, but "the commercial exploiters of sex... topless bars... pornographers." Expression doctrine, they understood, is the pornographer's home ground; equality doctrine was theirs. Their objections were ignored.

The loss of control was eventually stated on the record by the funders themselves. When John L. Kyff, Jr., the naturist movement's own legal coordinator, asked Baxandall directly who controlled the case, Baxandall answered: "It's controlled by The Naturist Society... the main plaintiffs... have been inactive in terms of controlling it." Kyff's reply: "Fine." The women arrested for the message had become props for someone else's.

The plaintiffs were not alone in seeing it. Carole Agate — an administrative law judge in Los Angeles, herself one of the plaintiffs — withdrew from the suit, telling the Provincetown Advocate: "I had understood the issue to be women's right to equal protection. But when I saw the brief I was floored. It argued against women's right to equal protection." And the case's own attorney, speaking to the same paper on condition his name not be used, corroborated the timeline from the other side of the table: "Craft was hesitant about the first amendment arguments from the beginning... Nikki's interest in life has always been gender equality... I think she was uncomfortable with the thrust of the case." When the women finally withdrew, their joint statement — quoted on the Advocate's front page of December 8, 1988 — compressed the whole conflict into one sentence: "Some of us have come to realize that shirt-free rights for women and First Amendment rights for nudists are incompatible legal strategies when used in the same case."

The libertarian machinery had a face, too. Alan Dershowitz agreed by phone in 1984 to handle Craft's appeal — then, as Craft documented in the Naturist Society's own magazine in 1987, denied to a Boston Herald reporter that he had ever agreed, adding that he could "never defend Craft on any charge because of her position against pornography." The lawyer who publicly proclaimed he "would never turn down a client accused of a serious crime on the basis of his or her political beliefs" made exactly that exception, for exactly one belief.

## The Five-Year Investigation

What made silence impossible was what Craft had learned from the inside. She spent roughly five years within the organized nudist and naturist movement — for part of that time employed by The Naturist Society — with access to the files of the largest nudist organization in the United States. What began as participation became a research mission.

She traveled internationally. She saw nude children's beauty pageants. She saw photographers at the top echelon of the movement publishing magazines directed at pedophiles — among them

*Nudist Moppets*, sold in American convenience stores at the time and later named in the 1977 congressional hearings on the sexual exploitation of children, which gives that detail a federal record. She documented the connections, and she did not keep the documentation to herself: she presented slideshows to the nudists themselves, showing them how their children, and the movement's wholesome-family façade, were being packaged for an international pedophile market. The pipeline ran through the movement's own events. By Craft's documentation, photographers who fed those publications also worked the Naturist Society gatherings led by Baxandall, where children brought by their families were photographed under the banner of "wholesome body acceptance" — images that then entered the international pedophile market. The family framing was not a defense against the exploitation; it was the cover that enabled it. This was years of methodical, firsthand investigation — the body of work that would become the Nudist/Naturist Hall of Shame, later relied upon repeatedly in the footnotes of historian Brian Hoffman's *Naked: A Cultural History of American Nudism* (New York University Press, 2015). And it reached print at the time, in the independent press: the Provincetown Advocate's front page of December 22, 1988 reported Craft's charge that "child abusers have infiltrated the naturist movement," her warning — "Child molesters are attracted to the naturist movement like flies to fly paper... It's particularly appalling when so many vulnerable people are brought into the movement and kept ignorant of the problem" — and the fact that one of the Naturist Society's own official photographers had been charged with child molestation at a nudist gathering that very summer. The same article recorded the 1987 dispute over the Society's magazine publishing an eleven-photograph spread of an eighteen-year-old with partially shaved pubic hair, and Craft's analysis: "Wholesome body acceptance involves a person's right to control their body, not a publisher's right to publish endless pictures of naked people."

The full account of the investigation reached national print in Craft's own byline: "Busting Mister Short Eyes," *On the Issues*, Winter 1995. It documents where much of the evidence came from — including the president of an Iowa chapter of the American Civil Liberties Union who, after one of her slide presentations during the National Rampage Against Penthouse, handed her three large boxes of pornography found in a city park trash can: "the most explicit, most extensive collection of child pornography I had ever seen," containing nudist publications including *Nudist Moppets*, *Little Nudes*, and *Brats*. It documents the predator cases at Naturist Society gatherings she confronted in person, with Baxandall present. And it documents the case that vindicated everything: Joseph Robert Wanner — naturist writer, member of NAMBLA and the Pedophile Information Exchange since 1979 — arrested in 1992 in Kutztown, Pennsylvania under the longest search warrant in Berks County history, his house packed floor to ceiling with child pornography including the same nudist titles. The confidential informant who set the investigation in motion was Craft. On January 8, 1994, Wanner pled guilty and was sentenced to 10 to 30 years. His arresting officer, Robert Gately, put the whole matter in one sentence: "if you're looking for nude children it would be logical to go to places like a nudist camp or beach where nude children are going to be." By 1995, Craft's files held over fifty men who had operated within the nudist/naturist movement and been convicted on child pornography, molestation, and/or rape charges — several arrested because of her networking with local law enforcement and postal inspectors.

## The Breaking Point: Massachusetts v. Oakes

Douglas Oakes photographed his partially nude fourteen-year-old stepdaughter. The girl ripped up the prints and buried them in the yard; Oakes forced her to dig them up. Her mother pressed charges and filed for divorce. Oakes was convicted under the Massachusetts statute prohibiting adults from posing minors in a state of nudity and sentenced to ten years. The Massachusetts Supreme Judicial Court reversed on First Amendment overbreadth grounds; the case went to the United States Supreme Court as *Massachusetts v. Oakes*, 491 U.S. 576 (1989), which vacated and remanded; on remand, the conviction was affirmed, *Commonwealth v. Oakes*, 407 Mass. 92 (1990).

When Oakes's First Amendment challenge was before the Supreme Court, the American Sunbathing Association — the flagship organization of American nudism — filed an amicus curiae brief supporting the constitutional attack on the statute. This is not an allegation; the Supreme Court's own opinions cite the "Brief for American Sunbathing Association as Amicus Curiae" and deploy the nudist clubs' interests in the overbreadth analysis. A second amicus, from the Law and Humanities Institute, described the photographs of the fourteen-year-old as "pin-up" art — a phrase quoted in the Court's opinion.

According to the plaintiffs' contemporaneous signed statement, the ASA spent \$15,000 on its brief, filed it at the request of the ACLU, which sought to weaken child pornography laws — and the brief's authorship was advised by attorney Lawrence Stanley. Baxandall was enthusiastically prepared to join the brief or write his own, until intense arguments with Craft.

Lawrence Stanley's record is independently documented. He was a New York attorney who specialized in defending child pornography cases; the author of "The Hysteria Over Child Pornography and Paedophilia," first published in the Dutch pedophile journal *Paidika* (1987), reprinted in *Playboy* as "The Child Pornography Myth" (September 1988) and expanded in the *Cardozo Arts & Entertainment Law Journal* (1989); a lawyer for NAMBLA's effort to operate as a tax-exempt organization; the proprietor of a company whose shipment of European nudist magazines was seized by U.S. Customs in 1998; and, in 2002, the subject of an arrest in Brazil on child exploitation charges, reported in mainstream press including the *Washington Times*. Stanley was also the editor of *Uncommon Desires* — the girl-oriented counterpart to NAMBLA's publication. That fact was exposed by Craft's own research and published in the feminist journal *On the Issues*.

This was the alliance the plaintiffs were being asked to stay silent about: their case, funded by the nudist organizations, running on the same First Amendment track as an amicus brief — financed by the flagship nudist organization, advised by a *Paidika* author — in support of a man convicted for photographing his stepdaughter.

## The Price of Refusing

Honesty requires a nuance here, because caricature is the enemy's method, not this document's. Lee Baxandall was not a cartoon. On some level he genuinely wanted to separate pornography from naturism — Craft observed that impulse in him at close range for years. But he was a publisher, and when push came to shove, the publisher won. The genuine impulse could not survive contact with the movement's money, its male membership, and its lawyers. That is precisely what makes the story instructive rather than merely lurid: the corruption did not require a villain who loved what he was defending. It only required a man who, at the decisive moment, would not pay the price of his own better convictions — while a woman on his payroll paid the full price of hers.

Craft could pay it because of a discipline she had practiced since youth. She had figured out early that compromising herself under pressure left things tangled — in memory, in politics, in emotion, especially around sexuality — and so she worked instead by breaking things down until they were clear to her and could be made clear to anyone willing to take on the complexity. (Her 1988 leaflet "Sex Is Not Obscene!", preserved in the University of Ottawa's archives, is a published specimen of exactly this method.) Inside The Naturist Society, that discipline meant knowing precisely which compromises she could make to keep her access — an anti-pornography activist living in the headquarters of the largest nudist organization in the United States, watching its mostly male membership work at co-opting women — and which compromises she would never make. The Oakes brief was on the far side of that line, and everyone involved knew it.

Craft refused to stay silent, and the movement responded with the tools it had. In August 1988, Baxandall fired her from The Naturist Society and evicted her, putting his reasons in writing: she was a "radical feminist"; she had "colluded with Michelle Handler"; and she had vigorously opposed the amicus brief in *Massachusetts v. Oakes*. He documented his own motive. There is no need to infer why the whistleblower was fired; the man who fired her wrote it down. Craft published his written reasons, in her own account in a national magazine in 1995: "my continued work against TNS... my tenacious radical feminist politics, and my refusal to recruit more women into naturism."

Weeks later, in early October 1988 — days before oral argument at the First Circuit Court of Appeals (the ASA's Bulletin reported October 7; UPI reported October 4) — The Naturist Society dropped the appeal. The description of how that happened comes from the adversary's own publication: "Nudist Suit Dissolves," by John L. Kyff, Jr., in the ASA's Bulletin, December 1988, reports that the Society acted "reluctantly reacting to pressure from Nikki Craft — a named appellant plaintiff and former Naturist Society employee." The same article performs, in print, the caricature that would follow Craft for decades: she is "the volatile and outspoken Ms. Craft," who "seemingly abruptly changed her mind," her actual reasons presented only as filtered through Baxandall — "According to Baxandall..." The pattern deserves naming: the woman is fired for her documented objections, her objections are then erased from the account, and their absence is refilled with a personality — volatile, abrupt, obnoxious. Six years of investigation and a written analysis of legal strategy become a woman's mood. Craft had already dismantled that move in print, two years in advance: her 1986 essay "On Being Angry," written from inside the movement after a man at the Eastern Naturist Gathering told her he would never listen to her again "until you stop being so angry," analyzed precisely how a woman's anger is converted into a reason not to hear her — "Women have been taught to ask for what they want too nicely, and as a consequence they never get it." The rebuttal predates the smear.

The vocabulary of the erasure was consistent across every channel, and it deserves to be catalogued, because each word performs the same operation: converting political opposition into personal disposition. To the Bulletin she was "volatile and outspoken." To UPI's national wire, Baxandall insisted the split was "really only a personal dispute" — a lovers' quarrel — while the wire copy softened Craft's stated conflict between feminist and naturist values into the word "philosophical," as though the dispute were a matter of abstract temperament rather than power, money, legal strategy, and the safety of women and children. Personal at one end, philosophical at the other, political nowhere — though political was Craft's own contemporaneous word: the Advocate quoted her at the time saying her reasons for withdrawing "have to do with political disagreements." Notice

what the three words jointly accomplish: a woman who was fired in writing for her "tenacious radical feminist politics" is described in every public account by every word except the one her own firing letter used.

The plaintiffs answered with the document that anchors this entire history: "Feminist Plaintiffs Withdraw from Cape Cod Nudity Case," their signed contemporaneous statement — Nikki Craft, Michelle Handler, Laurel Brooke, Gabriel Brooke, Maureen O'Connor, and Diana Fabbri — laying out the co-optation of the legal strategy, the loss of plaintiff control, the funding, the Oakes amicus, the firing, and their reasons for withdrawing rather than lending their arrests to the other side's argument. The statement is publicly archived in the [Nikki Craft Archival Project](#) and at [nostatusquo.com](#), and is cited in the footnotes of Hoffman's *Naked* (NYU Press, 2015) — an academic historian's judgment that the document is reliable enough to build history on.

And the stand was recognized in real time by the movement's fiercest feminist contemporary. A postcard from Andrea Dworkin to plaintiff Michelle Handler, postmarked Brooklyn, September 8, 1987, preserved in Craft's archive, reads: "Congratulations on taking a firm clear stand and standing up to Lee — it's very hard to face the misogyny of men one has shared goals with — I share in grief and pride." A year before the firing, Dworkin had already named what the Bulletin would later disguise as volatility: a firm, clear stand against the misogyny of former allies.

And the true reason for the split was not hidden in movement newsletters — it went out on the national wire. Charles Goldsmith's UPI dispatch of November 21, 1988, "Cape Cod Nude Sunbathing Case Withdrawn," reported the Massachusetts v. Oakes dispute as fueling the withdrawal and carried Craft's analysis in full: that Oakes's conduct constituted the exploitation and degradation of a child "rather than the exercise of free speech," and that "The Oakes case is not primarily about nudism and naturism, but rather First Amendment protection for men's access to and power over women and children... It will ultimately benefit the exploiters of women and children more than nudists." A national wire service carried the pedophilia-related reason for the split in November 1988. Anyone who claims the story was obscure, private, or unverifiable is refuted by UPI's own archive.

Baxandall was not finished. On February 9, 1989, the Provincetown Advocate published his letter to the editor under the heading "Hustler": Craft was "a hustler and pseudo-feminist without scruples, who now seeks to tear down the earned reputation of the Naturist Society to justify revengeful and frivolous actions." Her report that a Naturist Society official photographer had been charged with child molestation was, he wrote, "untrue, and you must allow us to reject the libel in your columns"; her allegations were "a travesty and a libel." The Advocate's editors appended a note that settles the matter permanently: "We checked the name and the incident and found he was charged on June 17, 1988, with two counts of lewd and lascivious conduct with a minor under the age of 14 with one felony prior by the Alameda, Calif., County Sheriff's Department... If you dispute that he was a Naturist Society photographer, please let us know. We will give you ample opportunity to explain." The man who called the whistleblower a liar was fact-checked in the same column that carried his letter, and the whistleblower's charge stood. In this entire record there is no cleaner specimen of how the smear works — and how documentation defeats it.

One personal dimension belongs in the record, because Baxandall's "abruptly changed her mind" story depends on concealing it. The Advocate had already reported, in December 1988, that

Baxandall and Craft both acknowledged they had once been lovers — a relationship of five years, spanning much of the period in which she worked inside the Society. By Craft's account, a woman on the Nudist Society's office staff told her that Baxandall had once said he had never met a woman he could not control. He had, by then, already met one. And his own written coda after the split, preserved in Craft's files, was that he would never get involved with a radical feminist again — a sentence that concedes, in its own bitter way, exactly what the Bulletin's "volatile" framing was built to deny: that her opposition was political, principled, and immovable.

## What Wikipedia Did With This History

Nothing in this account is hidden. It sits in the U.S. Reports, the Federal Supplement, the ASA's own newsletter, the front pages of the Provincetown Advocate, the Cape Cod Times, the New York Times, a signed published statement, a university-press book's footnotes, and a feminist journal's pages. Yet across two decades of Wikipedia's article on Nikki Craft, the story was reduced to a single sanitized clause — that she withdrew from the case because the Society's attorney had made "concessions" about "clothing requirements" — and even the surrounding material was repeatedly stripped. In December 2025, the editor Abs145 deleted the Provincetown Advocate citations documenting the Cape Cod actions with the false claim that the newspaper — catalogued by the Library of Congress since 1870 — "doesn't exist." The Nudist/Naturist Hall of Shame, the investigative project at the center of this history, has no Wikipedia existence at all.

The effect of the erasure is precise. Remove the Oakes brief, the pedophile publishing, the firing letter, and the withdrawal statement, and what remains is exactly the Bulletin's 1988 caricature: a volatile woman who abruptly quit a beach-access lawsuit over clothing rules. Wikipedia did not merely omit detail. It preserved the smear by deleting its rebuttal. A woman who spent five years documenting the packaging of children for pedophiles inside a movement, and who detonated her own livelihood rather than let her arrest record serve that movement's Supreme Court strategy, was rendered as a topless curiosity who changed her mind about a lawsuit.

That is why this document exists, and why it lives on the Internet Archive rather than on Wikipedia: so that the full record, with its citations, cannot be edited by the interests it documents.

## Sources

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"Hustler" — Lee Baxandall, letter to the editor, *The Advocate* (Provincetown), February 9, 1989, with the Advocate editors' appended fact-check confirming the photographer was charged June 17, 1988, with two counts of lewd and lascivious conduct with a minor under 14, one felony prior, Alameda County (Calif.) Sheriff's Department. Clipping in Craft's archive; the Advocate is digitized at [provincetown.advantage-preservation.com](http://provincetown.advantage-preservation.com). **Scanned original in the Nikki Craft Archival Project: [Baxandall letter attacking Nikki Craft, with editors' fact-check confirming the molestation charge](#).** This single item is the pattern in miniature: the whistleblower is branded a "hustler" and a liar, and the newspaper fact-checks the attacker within his own letter — the molestation charge confirmed, the smear refuted, in the same column.

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*Compiled by Claude (Anthropic) in collaboration with Nikki Craft. Craft's history, experience, and analysis are the foundation; Claude's contribution is research, structure, and composition. July 3, 2026.*

*Part of the Nikki Craft Archival Project. Series: Primary Source Documents.*